

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07

CV

4776

SUNCO GROUP, INC.
Plaintiff

-v-

EARTH BIOFUELS, INC.
Defendant

Case No.

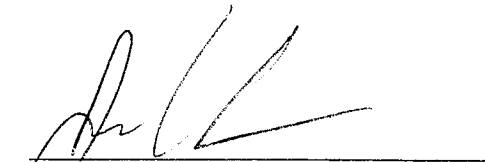
Rule 7.1 Statement

JUN 07 2007

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for **Defendant, Earth Biofuels, Inc.** (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

1. Apollo Resources International, Inc.

Date: June 5, 2007



Signature of Attorney

Joshua E. Kimerling, Esq.
Attorney Bar Code: JEK #0053

Cuddy & Feder LLP
445 Hamilton Avenue-14th Floor
White Plains, NY 10601
914-761-1300